

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 37 - SB 1573

March 16, 2021

SUMMARY OF ORIGINAL BILL: Prohibits the Governor, a state or local governmental entity, or the executive head of a local government from issuing an executive order, resolution, or ordinance establishing categories or classes of essential and nonessential businesses for the purpose of requiring certain lawful businesses to cease operation.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (005290): Deletes and rewrites all language after the enacting clause such that the substantive changes: (1) designate the legislation as *The Essential Workers Act*; (2) remove applicability to state government; and (3) establish an exception to the prohibition for instances when an order from the local Fire Marshall or court of competent jurisdiction declares the business poses a clear and present danger.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- There are no local government ordinances or resolutions currently in effect which prohibit nonessential businesses from operating. Therefore, the proposed legislation could only impact future actions to establish essential and nonessential businesses.
- Due to the anticipated infrequency of such actions, multiple unknown variables, and offsetting impacts associated with such actions, prohibiting the use of executive orders, resolutions, or ordinances to establish essential and nonessential businesses for the purpose of ceasing operations of certain businesses is estimated to not result in any significant fiscal impact to state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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